

Serial No. 09/877150

- 6 -

Art Unit: 2134

REMARKS

Claims 1-20 are pending in this application. Claims 1, 8 and 15 were rejected under 35 U.S.C. §103(a) as being unpatentable over Gong in view of Ko, and further in view of Reudink. Claims 2-4, 9-11 and 16 were rejected under 35 U.S.C. §103(a) as being unpatentable over Gong and Reudink in view of Caronni. Claims 7, 14 and 20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Gong and Reudink in view of Wong. Claims 5-7, 12-14 and 17-20 were indicated to be allowable if rewritten in independent form including the limitations of the base claim and any intervening claims. None of the claims is currently amended. Reconsideration and further examination are respectfully requested.

The presently claimed invention distinguishes the cited combinations because cryptographic keys associated with an anticipated destination cell are distributed to the mobile device. The Office relies on Reudink as teaching a key management center that determines an anticipated cell path of a mobile device in order to optimize wireless activity within each cell. The only specific teaching in the cited passages of Reudink is that the signal is sent to “forewarn” upcoming cells on the path.” Col. 8, lines 5-9. Even assuming Reudink taught that cryptographic keys are distributed as part of forewarning upcoming cells, which it does not, the cited combination does not result in the presently claimed invention. In particular, sending those cryptographic keys to the upcoming cells in the path would not solve the problem because the keys must be sent to the mobile device. Hence, claim 1 distinguishes the cited combinations by reciting “a key management center that determines an anticipated cell path of a mobile device ... and distributes to the mobile device a set of cryptographic keys necessary to permit secure communications for the mobile device within each cell along the anticipated cell path.” (emphasis added). Similarly, claim 8 recites “determining an anticipated cell path of a mobile device ... and

Serial No. 09/877150

- 7 -

Art Unit: 2134

distributing to the mobile device a set of cryptographic keys necessary to permit secure communications for the mobile device within each cell along the anticipated cell path.” Similarly, claim 15 recites “program code for distributing to the mobile device a set of cryptographic keys necessary to permit secure communications with the mobile device within each cell along the anticipated cell path.” For the reasons stated above, withdrawal of the rejections of claims 1, 8 and 15 is respectfully requested.

Applicants further respectfully urge that a sufficient motivation to combine the cited references has not been shown. A *prima facie* case of obviousness under 35 U.S.C. 103 must include a showing of a suggestion, teaching or motivation that would have led a person of ordinary skill in the art to combine the cited references *in the particular manner claimed*. See In re Dembiczak, 175 F.3d 994, 998 (Fed. Cir. 1999), and In re Kotzab, 217 F.3d 1365, 1371 (Fed. Cir. 2000). In this case, the Office has not established that a person of ordinary skill in the art would be motivated to combine the cited combinations of references in the particular manner of the corresponding rejected claims.

Claims 2-4, 9-11, 14, 16, and 20 are dependent claims which further distinguish the invention, and which are allowable for the same reasons stated above with regard to their respective base claims. Withdrawal of the rejections of claims 2-4, 9-11, 14, 16, and 20 is therefore also requested.

Serial No. 09/877150

- 8 -


Art Unit: 2134

Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone the undersigned, Applicants' Attorney at 978-264-4001 (X305) so that such issues may be resolved as expeditiously as possible.

For these reasons, and in view of the above amendments, this application is now considered to be in condition for allowance and such action is earnestly solicited.

Respectfully Submitted,

May 26, 2005  
Date

  
Holmes Anderson, Reg. No. 37,272  
Attorney/Agent for Applicant(s)  
Steubing McGuinness & Manaras LLP  
125 Nagog Park Drive  
Acton, MA 01720  
(978) 264-6664

Docket No. 120-164  
Dd: 05/28/2005